

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

PHILLIP DEWAYNE STEWART,
ADC #151956

PLAINTIFF

v.

No. 5:14CV0056 JLH/JTR

RAY HOBBS, Director,
Arkansas Department of Correction, *et al.*

DEFENDANTS

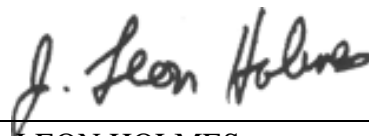
TRANSFER ORDER

Phillip Dewayne Stewart has filed a *pro se* § 1983 complaint alleging that defendants violated his constitutional rights during an internal investigation and disciplinary hearing that were conducted in regard to an argument Stewart had with a guard at the Ouachita River Unit of the Arkansas Department of Correction.

The federal venue statute provides that, in a case that is not based on diversity jurisdiction, venue is proper in the judicial district where “any defendants reside” or “a substantial part of the events or omissions giving rise to the claim occurred.” *See* 28 U.S.C. § 1391(b). Some of the defendants reside in the Hot Springs Division of the Western District of Arkansas, while others reside in the Pine Bluff Division of the Eastern District of Arkansas. However, the events giving rise to this action occurred at the Ouachita River Unit, which is located in the Hot Springs Division of the Western District of Arkansas. Thus, although venue is proper in both divisions, the Court concludes that the interest of justice would best be served by transferring this case to the Hot Springs Division of the Western District of Arkansas. *See* 28 U.S.C. § 1404(a) (“For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought”).

IT IS THEREFORE ORDERED THAT this case is IMMEDIATELY TRANSFERRED to the United States District Court for the Western District of Arkansas, Hot Springs Division.

DATED this 5th day of March, 2014.

A handwritten signature in dark ink, appearing to read "J. Leon Holmes", is written above a horizontal line.

J. LEON HOLMES
UNITED STATES DISTRICT JUDGE